

EXHIBIT A

COX | SMITH

ATTORNEYS

July 9, 2013

J. Daniel Harkins

Via certified U.S. mail, RRR

dharkins@coxsmith.com

210 554 5285

Dane A. Drobny
Sr. VP, Corp. Sec. & General Counsel
Sears Holdings Corporation
3333 Beverly Road
Hoffman Estates, Illinois 60179

Re: Infringement of James Avery Craftsman, Inc.'s Copyrights

Dear Mr. Drobny:

We represent James Avery Craftsman, Inc. ("JAC") in connection with the protection and enforcement of its copyrights and other matters. It has come to our attention that Sears Holdings Corporation ("Sears") is marketing jewelry that appears to be substantially similar, if not identical, to a number of JAC jewelry designs ("JAC's Designs").

Attached as **EXHIBIT A** to this letter is a side-by-side comparison of jewelry being sold and marketed by Sears (the "Sears' Jewelry") to the JAC's Designs. As you can see by the side-by-side comparison, there are substantial similarities between the Sears' Jewelry and the JAC's Designs. Sears' sale of these infringing pieces of jewelry is wholly unauthorized by JAC, which has a policy of vigorously enforcing its copyrights against all infringers. Nonetheless, JAC is willing to amicably resolve this matter if Sears complies with the following:

1. Agree to cease manufacturing, marketing, and selling the Sears' Designs and any other jewelry substantially similar to JAC's Designs;
2. Provide a complete accounting of all sales of the Sears' Designs, including sales volume and price;
3. Forward the remaining inventory of jewelry which incorporates the Sears' Designs to me for destruction or agree to destroy all remaining inventory and provide me with verification of its destruction;
4. If Sears is not the manufacturer of these pieces, identify the name, address and phone number of the supplier of the infringing jewelry and provide a copy of the invoices from the supplier reflecting the number of infringing pieces supplied to Sears; and
5. Make payment to JAC in an amount sufficient to cover JAC's attorney's fees (estimated at approximately \$1,000 to date) and to reimburse JAC for its damages suffered as a result of the infringement (to be determined upon review of the accounting and supplier information requested herein).

COX SMITH MATTHEWS INCORPORATED

112 East Pecan Street | Suite 1600

San Antonio, TX 78205

210 554 5500 tel | 210 226 8395 fax

COXSMITH.COM

AUSTIN DALLAS EL PASO MCALLEN SAN ANTONIO
4759031.2

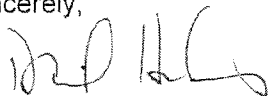
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As you may know, under the Copyright statute, JAC may be entitled to recover its monetary damages, as well as its costs and attorney's fees. In particular, under the Copyright Act, JAC may recover, at its election, (i) the actual damages suffered by JAC, as well as profits attributable to the infringement, or (ii) statutory damages in a sum of not less than \$750 or more than \$30,000 per infringement. In instances of willful infringement, the statutory damages may be increased to a sum of not more than \$150,000. Our preliminary investigation of Sears' sales activity suggests a pattern of infringement which could give rise to significant damages. Consequently, we urge you to give this matter your serious and immediate attention.

Once again, JAC is willing to resolve this matter amicably, provided Sears complies with each of the requests outlined above. I look forward to receiving your **response within ten (10) business days**.

Nothing contained or omitted in this letter is intended to be, nor should be deemed to be or construed as, a waiver or relinquishment of any of JAC's rights, remedies, claims, and contentions in respect to this matter, whether legal, equitable, or factual; each and all of which are expressly hereby reserved.

Sincerely,



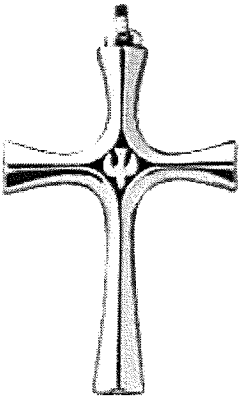
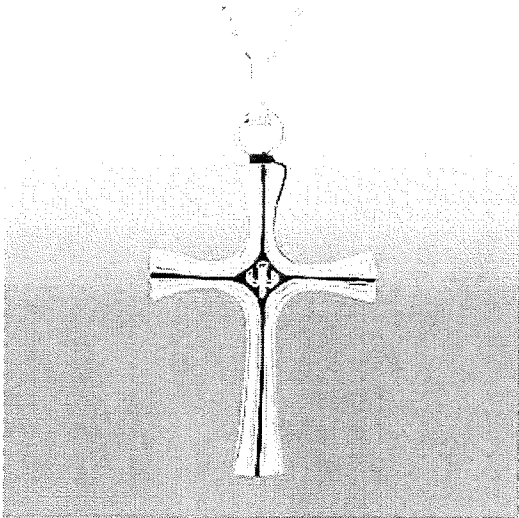
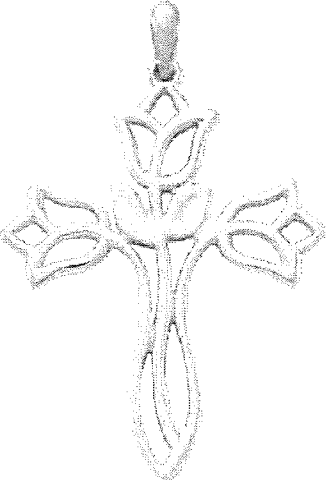
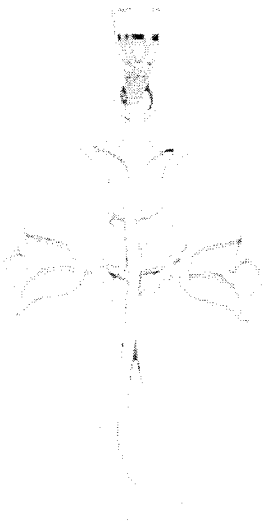
J. Daniel Harkins

Encl.
JDH:kb

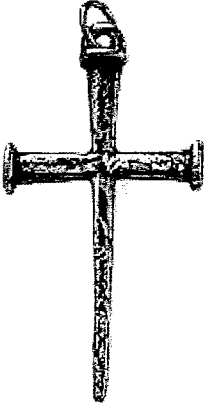
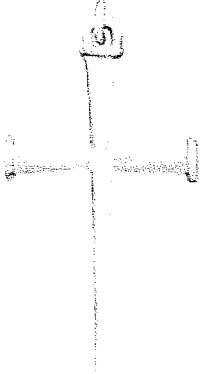
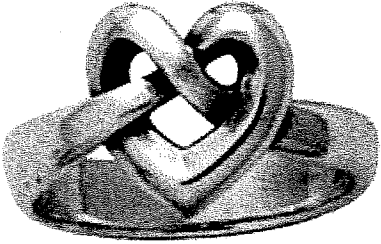
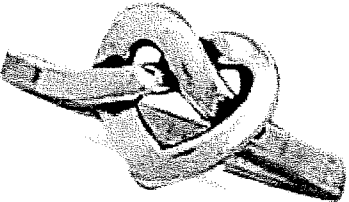
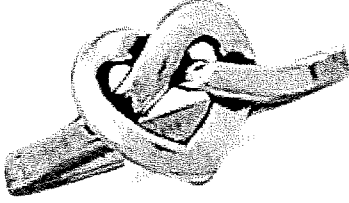
ic: Mr. Matthew Jennings [Firm]

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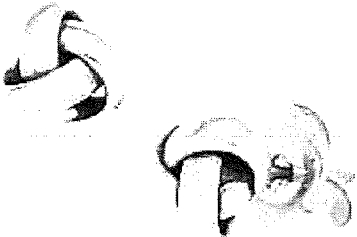


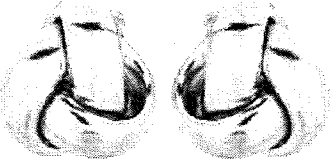
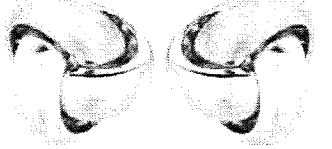
EXHIBIT A.

JAC's Designs	Sears' Designs
<p data-bbox="362 569 670 648"><i>Serenity Cross</i> (JAC Item No. C-380s/A)</p> 	<p data-bbox="971 537 1260 617"><i>Item No. 04462729000</i> <i>Model No. R370197-SS</i></p> 
<p data-bbox="370 1176 654 1247"><i>Flowing Lilies Cross</i> (JAC Item No. C-1178)</p> 	<p data-bbox="987 1163 1239 1192"><i>Model No. JXR1209</i></p> 

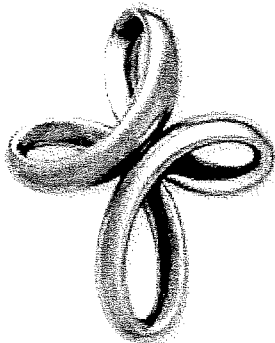
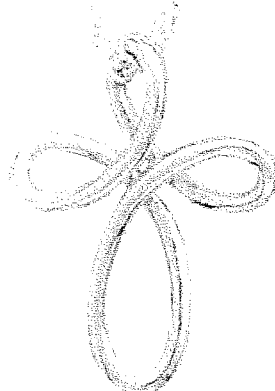
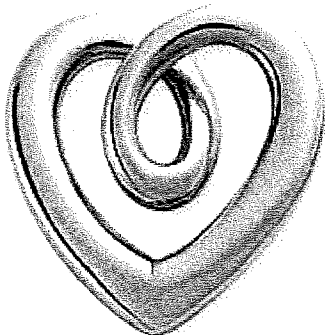
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JAC's Designs	Sears' Designs
<p data-bbox="378 478 654 548"><i>Nail Cross</i> (JAC Item No. C-711/2)</p>  <p data-bbox="370 1020 654 1041"><small>© Copyright James Avery Craftworks</small></p>	<p data-bbox="995 506 1247 537"><i>Model No. 73540-bt</i></p> 
<p data-bbox="370 1171 654 1241"><i>Heart Knot Ring</i> (JAC Item No. R-1251)</p>  <p data-bbox="370 1682 654 1703"><small>© Copyright James Avery Craftworks</small></p>	<p data-bbox="954 1066 1287 1098">Item No. SPM7089083203</p> <p data-bbox="995 1115 1247 1146">Model No. 8241811</p>  <p data-bbox="954 1430 1279 1461">Item No. SPM716431214</p> <p data-bbox="995 1478 1239 1509">Model No. 824186</p> 

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JAC's Designs	Sears' Designs
<p data-bbox="358 825 659 894"><i>Woven Knot Ear Post</i> (JAC Item No. EP-1714)</p> 	<p data-bbox="950 474 1279 548">Item No. SPM6249884805 Model No. BTER1087</p>  <p data-bbox="950 804 1279 877">Item No. SPM6249884705 Model No. BTER1091</p>  <p data-bbox="950 1136 1279 1209">Item No. SPM6249917505 Model No. BTWER1091</p>  <p data-bbox="950 1457 1279 1530">Item No. SPM6249919505 Model No. BTER1112</p> 

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JAC's Designs	Sears' Designs
<p><i>Eternal Ribbon Cross</i> (JAC Item No. C-1203)</p>  <p><small>© Copyright James Avery Craftman</small></p>	<p>Model No. 72833-bt</p> 
<p><i>Heart Strings Pendant</i> (JAC Item No. CM-1713)</p>  <p><small>© Copyright James Avery Craftman</small></p>	<p>Item No. SPM7534394011 Model No. TRP644Z8_2528</p> 